

Willard School Building Committee

Minutes of September 20, 2006

Pursuant to a notice duly filed with the Town Clerk of Concord, a meeting of the Willard Building Committee was held at the Willard School Library.

Members present: David Anderson, Scott Bates, Philip Benincasa, Franklin Cannon, Pat Fernandes, Brenda Finn, Ted Hanselman, Richard Keleher, Anthony Logalbo, Pat Nelson, Jerry Wedge, and Christopher Whelan

1. The Meeting was called to order at 6PM.

2. **Election of Co-Chairs.** Upon a motion duly made and seconded the Committee voted to select Jerry Wedge and Pat Nelson Co-Chairs.

Election of  
Officers

It was noted that Andy Berman has resigned due to business pressure.

Jerry Wedge stated that his goal was to reach consensus as much as possible and to focus on issues that are the responsibility of the committee and not those of the School Committee, Board of Selectmen, or the Town. He confirmed that all have been sworn in and reminded everyone to check the Volunteer Handbook for the e-mail protocols. Jerry noted that anyone may suggest agenda items and that his intent is to have bi-weekly 90-minute meetings. Regarding documents, he intends to e-mail them and to have them available at the table. Next week members will receive binders in which to keep materials.

Jerry Wedge noted that the Willard Building Committee is unique in that it includes members of staff, elected officials and at large members. The MSBA included staff members for their expertise. Jerry noted that this is a different relationship and hoped for open and frank discussion. As is the usual custom, the Co-Chairs will represent the Committee to the media, without voicing their personal opinions. It was noted that the Town Manager is both a member of the Committee and the official spokesman for the Town.

3. **Minutes of August 2, 2006.** Upon a motion duly made and seconded, the Committee VOTED to approve the Minutes of August 2, 2006 as amended. (yes-11; no-0; 1-abstain Jerry Wedge)

Minutes

4. **Review of Committee Charge.** Co-Chair Pat Nelson distributed a document that cast the language of the Charge as bullets in order to clarify the Committee's tasks. Ted Hanselman noted that the Committee will have final authority on design decisions, but that the Town Manager has the responsibility for all financial, contractual and scheduling matters. Frank Cannon noted that the Committee will vote to recommend action to the Town Manager, but won't take action itself. For instance, the Town Manager will negotiate contracts, RFPs, etc.

Committee  
Charge

In his opinion, Ted Hanselman stated that recommending a timeline with or without reimbursement from the State is outside the scope of the Willard School Building Committee Charge. Jerry Wedge noted that this is another difference in the two building committees. Prior to MSBA regulation changes, communities voted to build a school and assumed that eventually it would be eligible for reimbursement. Now, there is the

possibility of becoming ineligible due to a community getting out of step with MSBA.

Committee discussion noted the phrase "greatest extent feasible" in the Charge. It seemed to some that this language created a tension between progressing as anticipated by Voters at 2006 Town Meeting and meeting the newly promulgated regulations of the funding authority MSBA.

**5. Establish Timeline.** Jerry Wedge distributed a document that compared constructing the Willard School according to the MSBA Guidelines and according to a schedule controlled by Concord. Following the MSBA Guidelines, the new Willard School would be ready for occupancy in 2011. Moving ahead without regard for the guidelines or state reimbursement, a new school will be ready for occupancy in 2009. Some steps in the MSBA Guidelines have already been completed and others are in progress. For instance, the Board of Selectmen has appointed the Building Committee and has approved the Statement of Interest for Willard. The School Department has completed a feasibility study and a master plan. The RFPs for Project Manager and Architect are underway. Scott Bates noted that there have been some recent changes to the Guidelines that could expedite the MSBA schedule somewhat. He agreed to update his (TIMELINE) to reflect this.

Jerry Wedge proposed that Concord proceed using MSBA forms, hiring a project manager and an architect who have worked on schools, and seeking MSBA advice, but on an accelerated schedule. While some Members thought that it might be possible to prepare a Warrant Article seeking constructions funds for 2007 Town Meeting, others believed that there was inadequate design and cost estimating time. The factors the Committee must balance are: Concord might not retain eligibility for reimbursement by taking this approach; keeping the old Willard functioning during the longer MSBA process will have high capital costs that may outweigh the amount of reimbursement possible; it is unlikely that in the first year of a new procedure a State agency would grant waivers of the process; the completed master plan, feasibility study, and budget statement might not meet the standards of MSBA; a <sup>2</sup>/<sub>3</sub> Town Meeting vote and a ballot vote might be difficult if it is known that by doing so the Town will forego the possibility of \$MM in reimbursement; and the Building Committee is not empowered to decide to forego reimbursement.

The Willard School building project is on the agenda for the Joint Boards meeting on September 21. This matter could be brought to the attention of the Board of Selectmen and a request made for clarification of the Charge.

Upon a Motion duly made and Seconded the Committee authorized the Chair to draft and transmit a letter to the Board of Selectmen noting that in light of changes in the requirements of MSBA, the requirements of the Charge that the Committee deliver a construction cost Warrant Article to 2007 Town Meeting is constrained by the language of the Charge "to the greatest extent feasible" and the Committee is asking for clarification of the Charge.

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**6. Project Manager RFP.** There is nothing to report.

RFP

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**7. Design Services RFP.** There is nothing to report.

RFP

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**8. Meeting Schedule.** The Committee will meet as posted on September 27 and bi-weekly

Schedule

thereafter on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month.

9. **New Business.** Richard Keleher distributed information about green design and reuse of school building materials. Pat Fernandes noted that she has conflicts with some meetings as does Ted Hanselman.

New Business

10. **Citizen Comment.** Louisa Paushter stated that voters knew that there was no guarantee of reimbursement when they supported the Willard School project. She did not understand why the Committee feels it must go to the Board of Selectmen for direction when it is fiscally responsible to move ahead. Analysis shows that the town will not save money by waiting and in the meantime the school does not meet the educational standards set by the School Committee. Jerry Wedge stated that the Board of Selectmen interprets the intent of the voters; the Committee cannot go ahead without clarification. Ted Hanselman stated that the Charge imposes certain requirements that can't be ignored; it is important to ask the Board for direction.

Citizen Comment

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David Wilson asked that copies of materials that the committee is using be available to the public. Further he stated that the hardest part of what is being asked is to put aside the decision of Town Meeting and determine the cost of adhering to MSBA Guidelines versus the cost of acting now. There are two factors of which the Town is in ignorance: the percentage of reimbursement possible and the actual costs to maintain the building during the process when those costs are routinely overstated. This presents the Town with false choices. Jerry Wedge stated that capital needs budgets are projected for a 5-year period and are judgments. Rich Keleher stated that the unknown reimbursement so far outweighs other issues that there is no point in refining the maintenance numbers.

11. **Adjournment.** Upon a motion duly made and seconded, the Committee Voted to adjourn at 8:00PM

Adjournment

Respectfully submitted,

Ruth C. Lauer, Clerk

Approved:

**Willard School Building Committee**  
**September 20, 2006**

**Purpose:** To oversee the design of the proposed new Willard School Building as authorized under Article 42 by the 2006 Annual Town meeting.

**Powers and Duties:**

Coordinate the design and eventually monitor construction of the new Willard School Building.

**Design Phase Duties include:**

- Selection of a project manager
- Issue RFP for design services and make recommendation to Town manager (TM)
- Review Educational Specs
- Solicit input from school staff, parents, neighbors
- Foster discussion of sustainable building design
- Consider lessons learned from prior projects
- Ensure development of an accurate cost estimate
- Develop a projected construction schedule
- Monitor steps and actions required by MSBA to assure project conforms to the greatest extent feasible , to maximize Town's opportunity to be deemed eligible under SBA

**People to Communicate with:**

Work closely with: TM, BOS, SC, Finance Committee, School Department representative, Willard Principal, Project Manager, Architectural Firm